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12M1/1203

MICHAEL W. GLYNN
7 SKYLINE DRIVE
HAWTHORNE, NY 10532

**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner
☐ This notice is issued in view of applicant's communication filed _____

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/234,839	04/28/94	023	GRUMELING, M	1202 12/08/95
First Named Applicant	ZIMMERMANN,	JURG		

TITLE OF INVENTION PYRIMIDINE DERIVATIVES AND PROCESSES FOR THE PREPARATION THEREOF

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 419046A19689	514-252.000	R72	UTILITY	NO	\$1250.00	03/08/96

THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY Status shown above.
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:
 - A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
 - B. If the Status is the same, pay the FEE DUE shown above.
- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.
- III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

If the SMALL ENTITY is shown as NO:
A. Pay FEE DUE shown above, or
B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/234,089	04/28/94	ZIMMERMANN	J 419048/419, 42

12M1/1200

MICHAEL W. GLYNN
7 SKYLINE DRIVE
HAWTHORNE, NY 10532

GRUPO EXAMINER

ART UNIT	PAPER NUMBER
1202	713

DATE MAILED:

12/1/95

NOTICE OF ALLOWABILITY

PART I.

- ☐ This communication is responsive to the amendment filed 9/15/95
- ☐ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
- ☒ The allowed claims are 1-22, 24
- ☐ The drawings filed on _____ are acceptable.
- ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has [] been received. [X] not been received. [] been filed in parent application Serial No. _____ filed on _____
- ☒ Note the attached Examiner's Amendment.
- ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
- ☒ Note the attached Examiner's Statement of Reasons for Allowance.
- ☒ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
- ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
- ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - ☐ Format drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☒ Examiner's Amendment
- ☒ Examiner Interview Summary Record, PTOL-413
- ☒ Reasons for Allowance
- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsman
- ☐ Other

MICHAEL W. GLYNN
PATENT EXAMINER
GROUP 1200

MUKUND J. SHAH
SUPERVISORY PATENT EXAMINER
GROUP 1200

USCOMM-OC 88-3789

Serial Number: 08/234,889

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Art Unit: 1202

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Examiner's Amendment

In the Abstract of the disclosure:

Starting at page 1 of the Abstract, line 9 (counting the formula I as one line) please cancel "R² and R³ are . . ." through the end of the page.

Starting at the top of page 2 of the Abstract, cancel from the beginning of the first line of the page through " . . . free or esterified carboxy" and in place thereof insert -- R², R³, R⁹, X, Y, n and R¹⁰ are defined in claim 1 --.

The above amendment is directed to a formal matter in order to comply with the rules requiring abstracts to be less than or equal to 25 lines in length.

The following is an Examiner's Statement of Reasons for Allowance:

In an interview on 11/30/1995 the examiner initiated an interview with applicant's attorney. See the attached interview summary for the substance of that interview. As a result of the interview, the examiner was convinced that the starting materials

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for the 4-pyrazinyl substituted pyrimidinyl species of the instant claims would be readily available to the public and that the starting material would follow the same reaction steps as set forth in example 2 of the specification. The examiner is further convinced that a fair reading of claim 1 would indicate that the phrase following "1H-indolyl or 1H-imidazolyl" would inure to both 1H-indolyl and 1H-imidazolyl so that the previous objection is moot. All other formal matters having been dispensed with, and the examiner being satisfied that the instant claims define over the prior art Torley et al. references (because the prior art neither teaches nor suggests the R¹ groups instantly claimed) the claims are in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew V. Grumbling whose telephone number is (703) 308-4713. The examiner can usually be reached on Monday through Friday from 9:30 a.m until 6:00 p.m.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1235.

A facsimile center has been established in Group 1200, room 3C10. The hours of operation are Monday through Friday, 8:45 AM

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Art Unit: 1202

to 4:45 PM. The telecopier number for accessing the facsimile machine are (703) 308-4556 or 305-3592.

Since the facsimile machines possess limited capacity it is requested that information disclosures, appeal briefs and other communications greater than 15 pages in length be mailed rather than submitted by facsimile. Also it is requested that communication not intended to be entered in the case (such as courtesy copies) be conspicuously marked "DRAFT" on the cover sheet of the facsimile transmission.

Mukund J. Shah
MUKUND J. SHAH
SUPERVISORY PATENT EXAMINER
GROUP 1200

mt
MATTHEW V. GRUMBLING
PATENT EXAMINER
GROUP 1200

30 November 1995